

**AFFIDAVIT OF SPECIAL AGENT PATRICK FLAHERTY IN SUPPORT OF
APPLICATIONS FOR A CRIMINAL COMPLAINT AND A SEARCH WARRANT**

I, Patrick Flaherty, having been duly sworn, do hereby depose and state as follows:

Agent Background

1. I am a Special Agent with Homeland Security Investigations (“HSI”) and have been so employed since July 2007. I have successfully completed a training program in conducting criminal investigations at the Federal Law Enforcement Training Center in Brunswick, Georgia. In 2003, I graduated from the University of Massachusetts at Boston with a B.S. degree in Political Science and Philosophy and Public Policy. My current duties as an HSI Special Agent include conducting investigations involving the fraudulent acquisition, production, and misuse of U.S. immigration documents, U.S. passports, and identity documents. Due to my training, experience, and conversations with other law enforcement officers, I am familiar with the methods, routines, and practices of document counterfeiters, vendors, and persons who fraudulently obtain or assume false identities.

2. I am also a member of HSI’s Document and Benefit Fraud Task Force (“DBFTF”), a specialized field investigative group comprised of personnel from various state, local, and federal agencies with expertise in detecting, deterring and disrupting organizations and individuals involved in various types of document, identity and benefit fraud schemes. DBFTF is currently investigating suspected aliens, predominantly from the Dominican Republic, who are believed to have obtained stolen identities of United States citizens living in Puerto Rico and used those identities to obtain public benefits, which they would not otherwise be eligible to receive, including Massachusetts Registry of Motor Vehicles identity documents, Social Security numbers, Medicaid, and Public Housing. Among other things, a comparison of public benefits records revealed numerous identities who received public benefits in Puerto Rico and

Massachusetts on or about the same date.

Purpose of Affidavit

3. I submit this affidavit in support of an application for a criminal complaint charging Reynold PEREYRA DIAZ with (1) Misuse of a Social Security Number, in violation of 42 U.S.C. § 408(a)(7)(B), and (2) Aggravated Identity Theft, in violation of 18 U.S.C. § 1028A.

4. I also submit this affidavit in support of an application for a search warrant for the following property: 33 4th Street #1, Taunton, Massachusetts, as described in Attachment A. I have probable cause to believe that this property contains evidence, fruits, and instrumentalities of the crimes identified above, as described in Attachment B.

5. As set forth in more detail below, there is evidence that PEREYRA DIAZ unlawfully used the name and SSN of a real person while knowing that these identifiers belonged to a real person. Among the evidence that PEREYRA DIAZ knew that this identity was that of a real person is his successful use of the identity to obtain an official government identification document, to obtain health benefits, and to obtain a sizable amount of credit for the purchase of a vehicle.

6. This affidavit is based on my personal knowledge, information provided to me by other law enforcement officers and federal agents, and my review of records described herein. This affidavit is not intended to set forth all of the information that I have learned during this investigation, but includes only the information necessary to establish probable cause for the requested complaint and search warrant.

Probable Cause

The RMV Application

7. On April 24, 2015, a man submitted an application for a duplicate Massachusetts

driver's license at the Registry of Motor Vehicles ("RMV") in Roslindale, Massachusetts. The applicant represented on the application that he was a person whose initials were I.F.¹ He further represented that his date of birth was xx/xx/1982 and that his Social Security Number ("SSN") was xxx-xx-6356. The RMV previously took a photograph of the applicant on May 18, 2010², and that photograph is stored in the RMV's computer database. The individual purporting to be I.F. signed the application under penalty of perjury. As a result of that application, the RMV issued the person purporting to be I.F. a driver's license bearing the number. Sxxxx5631.

Use of Identity to Obtain MassHealth Coverage

8. Medicaid is a joint federal-state program that provides health coverage to certain categories of people, including eligible low-income adults, children, pregnant women, elderly adults, and people with disabilities. Medicaid is administered by the states, according to federal requirements, and is funded jointly by states and the federal government. MassHealth is the Medicaid Program in Massachusetts.

9. According to MassHealth records, between November 2015 and April 2018, at least one document was submitted to MassHealth in the name of I.F. The document lists I.F.'s name and provides a SSN xxx-xx-6356 and a date of birth xx/xx/1982. The document submitted to MassHealth on or about November 4, 2015, contained: (a) a Massachusetts Driver's License bearing license number Sxxxx5631 and the name I.F.; and (b) a Social Security Card bearing SSN xxx-xx-6356.

¹ I am protecting the identity of the victim by using initials only. The identity of the victim, I.F.F., is known to the government. These initials represent the victim's first and last names. To protect the victim's privacy, only the initials "I.F." and "I.F.F." are used in this affidavit to reflect variations of the victim's full name.

² The photo was taken as part of a Massachusetts ID issuance at the RMV.

Use of Identity to Obtain Loan

10. Records maintained by Toyota Motor Credit Corporation reflect that someone purporting to be I.F. submitted a credit application as a co-applicant in November 2016. The application materials list a SSN xxx-xx-6356 and a date of birth xx/xx/1982.³ An accompanying RMV-1 Application Form lists I.F. (with license number Sxxxx5613 and date of birth xx/xx/1982) as the owner of a Toyota vehicle with a total sale price of \$48,273.86.

Confirmation of a Valid Social Security Number

11. The Social Security Administration (“SSA”), Office of Inspector General (“OIG”) has confirmed that Social Security Number (SSN) xxx-xx-6356 is assigned to I.F.F. There are a total of five SSN card applications associated with SSN xxx-xx-6356. All five SSN card applications were filed at SSA offices in Puerto Rico.

Identification of the Imposter

12. The Dominican Republic has a national identification card which is called a Cedula. HSI obtained information concerning Cedula Number xxx-xxxxxx05-0, name of PEREYRA DIAZ, born in 1981, in Bani, the Dominican Republic, which included the photograph and fingerprints associated with this Cedula.

13. On April 21, 2015, the Massachusetts State Police in Foxboro arrested a man purporting to be I.F. on charges of Drug Possession with Intent to Distribute a Class B controlled substance. Following the April 21, 2015 arrest, as part of the booking procedure, police took fingerprints and a photo of the man purporting to be I.F.

14. The fingerprint impressions from PEREYRA DIAZ’s Cedula Number xxx-

³ The application lists an address for I.F. in Dorchester, Massachusetts. This matches an address on file with the RMV for I.F. from 2015 – 2017.

xxxxx05-0 and the April 21, 2015 fingerprint impressions from the Massachusetts State Police arrest of I.F. were sent to the HSI Forensic Laboratory for analysis. The HSI Forensic Laboratory determined that these fingerprint impressions belonged to the same individual.

15. I have compared the following three photographs: (a) the May 18, 2010 photograph from the RMV database of the applicant purporting to be I.F.; (b) the April 21, 2015 photograph taken of the purported I.F. after the arrest by the Massachusetts State Police in Foxboro; (c) and the photograph from PEREYRA DOAZ's Cedula Number xxx-xxxxx05-0. I conclude that the three photographs all depict the same person.

16. Information from Puerto Rico's Driver and Vehicle Information Database ("DAVID") assigned to an individual named I.F.F. indicates that this person has a date of birth of xx/xx/1982, is assigned SSN xxx-xx-6356 and lives in Yauco, Puerto Rico. I have examined a photograph associated with that DAVID record for this person and conclude that the male depicted in that photograph is not the same as the male depicted in the three photographs in the preceding paragraph.

Search for Identification Documents

17. The Massachusetts RMV shows a residential address for the I.F. identity of 33 4th Street 1, Taunton, MA 02780.

18. MassHealth records list an address of 33 4th Street #1, Taunton, MA 02780 for I.F.

19. A Toyota Motor Credit Corporation letter dated October 9, 2018 lists the following address for I.F.: 33 4TH ST #1, TAUNTON, MA 02780-4812.

20. On November 4, 2019, agents conducted surveillance at 33 4th Street, Taunton, MA 02780. The agents observed PEREYRA (the individual using the I.F. identity) leave 33 4th

Street, enter a vehicle, and depart the area.

21. I know, based on my training and experience, that:

- a. Individuals often keep identification documents and other evidence of identity for long periods – sometimes years – and tend to retain such documents even when they depart a given residence. Such documents include social security cards, passports, tax returns, legal documents, utility bills, phone bills, health insurance or prescription cards, medical records, marriage licenses, family records, scrapbooks, photographs, diplomas and other school records, birth certificates, immunization records, bank records, credit card statements, personal correspondence and books or mementos on which they have inscribed their names.
- b. Individuals often keep identification documents and other evidence of identity in their residence, in part to ensure the security of these documents and in part to allow for access to these documents when needed.
- c. In addition, it is common for those who use other persons' identities without authorization to maintain fraudulently obtained identification documents in secure locations within their residence to conceal them from law enforcement authorities; and,
- d. It is common for individuals who use fraudulently obtained identification documents to retain those documents for substantial periods of time so that they can continue to use the fraudulently obtained identities.

22. All agents participating in the search of the premises described in Attachment A will be informed of the full name represented by the initials that appear in Attachment B.

Conclusion

23. Based on the foregoing, I have probable cause to believe that, on or about April 24, 2015, Reynold PEREYRA DIAZ (1) falsely represented, with intent to deceive and for any purpose, a number to be the social security account number assigned by the Commissioner of Social Security to him, when in fact such number is not the social security account number assigned by the Commissioner of Social Security to him, all in violation of 42 U.S.C. § 408(a)(7)(B); and (2) knowingly transferred, possessed and used, during and in relation to any felony violation enumerated in 18 U.S.C. 1028A(c), and without lawful authority, a means of identification of another person in violation of 18 U.S.C. § 1028A.

24. Based on the foregoing, I have probable cause to believe that evidence, fruits, and instrumentalities of these crimes, as described in Attachment B, are located in the premises described in Attachment A.


Sworn to under the pains and penalties of perjury.



PATRICK FLAHERTY
Special Agent
Homeland Security Investigations

Dec 6, 2019

Subscribed and sworn before me on December ____, 2019



HON. JUDITH G. DEIN
United States Magistrate Judge

ATTACHMENT A

Premises To Be Searched

The location to be searched is Apartment 1 of 33 4th Street, Taunton, which is a tan colored multifamily residence building with the number 33 on the pillar in front of the front door. The front door is in the middle of the building, has mailboxes affixed to the front door, and has four steps up from the walkway. Photographs of the building are attached.

Front View of 33 4th Street, Taunton



ATTACHMENT B

Evidence to Be Searched for and Seized

Evidence, fruits, and instrumentalities of violations of 42 U.S.C. § 408(a)(7)(B) and/or 18 U.S.C. § 1028A, including but not limited to:

1. The following records, documents, and items referencing Reynoldo PEREYRA DIAZ or referencing the individual known to agents with the initials I.F.F. or I.F who has the SSN xxx-xx-6356 and date of birth xx/xx/1982.:
 - a. Any and all state-issued or apparently state-issued identification documents, notes, statements, and/or receipts that reference same;
 - b. Any and all immigration documents, including but not limited to U.S. or foreign issued (or apparently issued) passports and identification cards;
 - c. Any and all documents identifying citizenship, including but not limited to birth certificates; voter registration cards; cedula; and social security cards.
 - d. Any and all documents relating to foreign or domestic travel, including tickets; schedules; itineraries; or receipts.
 - e. Any and all employment records, bank records, credit card records, tax records, marriage records, divorce records, baptismal or confirmation records, residential lease or rental records, insurance records, utility/phone/cable records, arrest/court records, or records of school, training, or counseling.